



NATIONAL
PREPAREDNESS
COMMISSION

*Independent Review of the Civil Contingencies Act and
Supporting Arrangements: Findings and Key Actions*

Briefing to Local Emergency Resilience, Response and Recovery Conference 2022

Bruce Mann and Kathy Settle

9 June 2022

Scope of the Review

The Review was **undertaken on behalf of the National Preparedness Commission** whose mission is to promote better preparedness for a major crisis or incident.

The Review was **independent of the UK Government** although we liaised regularly with Cabinet Office and DLUHC officials as it progressed.

The Review went **back to the fundamentals**, addressing **two questions**:

- First, drawing on the evidence we received and other research, we reviewed the way in which UK resilience arrangements have developed since 2004, to enable us to reach a judgement on where resilience in the UK stands today and **whether the original intent of the UK Government and the UK Parliament has been met.**
- Second, we reviewed **whether the Act and its supporting arrangements would provide a solid legal and operational platform for building and sustaining the resilience of the UK over the next 20 years.**

We did so against the UK Government's ambition to **“make the UK the most resilient nation.”**¹.

Review Process

We conducted **130 interviews with 294 people**. We also received 29 written submissions and 31 other pieces of evidence.

Contributions received by sector included:

- 211 contributions from Category 1 and 2 responder bodies², including input from all 38 English Local Resilience Forums, and members of Scottish Resilience Partnerships, as well as The Executive Office, Northern Ireland
- 40 contributions from individual businesses and business representative bodies
- 35 contributions from voluntary, charitable and community sector bodies
- 12 contributions from higher education institutions
- 27 contributions from individuals

Views were remarkably consistent across all interviewees and across all sectors.

And we were inspired by the **passion and commitment we heard to making improvements.**

² As defined in Schedule 1 of the *Civil Contingencies Act 2004*

The Debate

We published our Report on 24 March.

But it's not just about us. There have been other important contributions, with more to come:

- The **House of Lords Committee on Risk Assessment and Risk Planning**, and the Government Response
- Those of **other Parliamentary Committees** – Public Accounts; Health; Defence
- The Government's quinquennial **Post-Implementation Review of the Act**
- The Reports of the **Manchester Arena and Grenfell Tower Inquiries**
- **Work in LRFs and other organisations** to learn the lessons of the response to COVID-19 and to put in place their own development programmes
- **Reports from international bodies** on future good practice
- And of course the **Government's National Resilience Strategy**

Debate on future UK resilience will continue throughout 2022 and beyond.

'Once in a generation' moment of reflection. Shouldn't waste this opportunity.

Headline Findings

The Act and its supporting arrangements have served the UK well. They provide a sound basic framework for emergency preparedness, response and recovery. And we were impressed by the quality of work in Resilience Partnerships.

But **resilience in the UK has suffered strategic neglect** over the past decade. The **pace of development has not been sustained**. In some important areas, **quality has degraded**. As a result, UK resilience today has some serious weaknesses. **It is not fit for future purpose in the world the UK is moving into.**

That lack of development is in sharp contrast to:

- Continuing development in other national security and safety fields, especially **cyber security and CT policing**, which were routinely praised
- A range of **other countries**, who are now doing resilience-building better
- **Major corporates**. The management of organisational resilience in the major corporates we spoke to is better than the management of the 'organisational resilience' of the UK

Our Recommendations – Overview

Our view is that **recovery will need action at two levels:**

- First, there is a need to **improve the quality and sustainability of current arrangements**
- Then we believe that there will be a need to **undertake a further step change** if UK resilience is to be fit for the future the UK faces – and to match the ambition that the UK is a truly Resilient Nation

Our Recommendations (117 in total)

The feedback we've received is that – as we hoped – **our recommendations are practical and deliverable**: “this stuff isn't rocket science”.

Almost half of English LRFs, as well as a wide range of other organisations, have already asked us for briefing, advice or fuller support on what they can do to respond to our recommendations.

They want to ‘make their own weather’, recognising that many improvements can be taken into their own development programmes without having to wait for the Government's Resilience Strategy.

I'll **focus today on what I think are the ‘Top 10’ recommendations** which will have the greatest effect in improving UK resilience.

But we will be **happy to speak to/help those who want to go into fuller detail**.

1: Prevention

Give risk reduction and prevention activities the same priority as emergency preparedness, response and recovery.

- Hope that this is a key theme of the National Resilience Strategy, in line with the Sendai Declaration and Framework

Role of Resilience Partnerships should be expanded to cover risk reduction and prevention.

- Starting with the local risk register

Resilience Partnerships to be supported in the **development of Local Resilience Strategies which seek to build deeper societal resilience** on lines of that done in London, Manchester, Hampshire.

- Supported by a **risk assessment process that looks more than 2 years ahead**

2: Skills, Competence, ‘Professionalism’

Government, professional bodies and other key stakeholders should develop a **Resilience Competence Strategy and associated Competence Framework**.

- Following good practice in many other fields
- “How have we got this far without ...”

3: Training

Government should lead a **fundamental ‘reboot’ of the current resilience training ecosystem to:**

- Improve **consistency**
- Keep content **up to date**
- Be more **efficient**

by

- **Developing core materials centrally** and providing them to Resilience Partnerships for their adaptation and use
- Training materials to be more **digital, bite-sized**
- Default for training to be on site at **Resilience Partnership locations**
- **Register of ‘approved’ trainers and subject matter experts**

Should include reboot of Emergency Planning College - or, better, the **creation of a Centre of Resilience Excellence.**

4: Demonstrated Competence in Emergency Management

Heard many horror stories of experience in the management of the response to COVID-19.

Those **senior leaders** expected to be core members of SCGs and other response structures should be required to:

- **Attend a strategic emergency management training course every three years**
- **Undertake annual CPD**

in order to be assessed as ‘approved’ to fulfil that role and go on rotas.

Core members of SCGs and other response structures should undertake an **externally observed and assessed command team exercise** at least annually.

5: Involving the Whole of Society

Self-evident that to be truly effective **risk and emergency management needs to engage the ‘whole of society’**. Major theme of the Call for Evidence on the Resilience Strategy.

Response to COVID-19 (and other past emergencies) showed once again the huge appetite and willingness of communities, VCS bodies and businesses to make a contribution and how powerful that contribution can be when harnessed.

But **more said than done** in the UK over the last 15 years.

Should move to **needs-based emergency planning** which:

- Identifies the **consequences for people** of emergencies and their potential physical, social, psychological, economic needs
- Determines **which organisations are best placed to meet those needs, from whichever sector** (subject to the necessary safeguards). Identify and record potential contributions through use of a Capability Matrix
- Ensures all groups and organisations with a role are **trained and exercised**

6: Duties on ‘Category 2’ Responders

Full suite of duties should be placed on current Category 2 responders.

Despite best intentions, formula agreed in 2004 where Category 2 responders have a lighter set of duties has not worked:

- Without a legal obligation, some companies and sectors have scaled their contribution right back. It shows. And people suffer
- Their contribution to risk assessment and emergency planning is diminishing
- Sense of partnership has been seriously eroded – “second class citizens”
- In future, more emergencies will start, and develop, in the private sector

7: Sustainable Local Resilience

Government should agree with the Devolved Administrations and English LRFs:

- **The future role** of designated local bodies and of Resilience Partnerships
- **Expectations** on how they will discharge that role

Sustainable funding package for LRFs in England would cover as a minimum a core team of five posts and one major multi-agency exercise each year in each LRF (£10m per year), and be guaranteed for a multi-year period.

The valuable **role of Metro Mayors** should be recognised.

Local accountability should be reinforced.

8: Central Government

Full suite of duties should be placed on the UK Government and hence government departments.

Parliament recommended that in 2003. In hindsight, they were right:

- The future risk picture will have more ‘national’ emergencies
- It is a vital underpinning to driving up the resilience performance of government departments
- It is in the spirit of true partnership – not ‘us and them’ or ‘do as we say not as we do’

Government should establish stronger arrangements for **administrative escalation** to central government and for **intervention and enforcement** action where necessary.

Rebuild and sustain with local stakeholders the spirit of partnership in a shared enterprise, seriously damaged in recent years.

9: Validation and Assurance

Resilience Standards should be updated, **given legal backing** and **used in validation and assurance**.

There should be **new Standards governing the performance of central government departments**.

English LRFs and government departments should be **assessed against the Resilience Standards** by a **new multi-agency validation team** at least every three years.

Validation Reviews should be **published** for scrutiny.

10: Accountability

Heads of bodies with legal duties should have personal accountability for their organisation's performance.

The National Security Adviser (or Deputy) should be appointed UK Government Chief Resilience Officer with accountability for the quality and effectiveness of UK resilience-building activity.

- Including through a Cabinet Office Minister to Parliament

Want To Know More?

The full Report and Executive Summary can be found on the NPC website at:

<https://nationalpreparednesscommission.uk/2022/03/independent-review-of-the-2004-civil-contingencies-act/>

We would be happy to host more detailed briefings on specific topics if helpful. Please let us know.

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Back-up slides for Q&A

Involving the VCS

Engagement with VCS

- “Have regard to” formula covering the VCS should be abolished. Legal duties on VCS bodies is a red herring. **VCS organisations should have partnership status** – seen in actions not law – with local bodies and govt depts
- Engagement of the VCS at local level should be captured in a **new Resilience Standard**
- **VCSEP to lead on development of a national capability matrix and provide a ‘brokering’ facility** to more easily signpost and navigate partners to offer support in the response phase

Involving Business

Engagement with Business

- Government should develop a **Business Sector Resilience Partnership** to supplement existing Dept engagement. Operationally-focused on wide-scale national risks and their consequences, risk reduction, mitigations to address the impacts of emergencies on businesses, the contribution which businesses might make in the response to major emergencies
- **Partnership priorities:**
 - **Co-developing and disseminating information for businesses** to use in their planning
 - **Building a matrix of capabilities** businesses could contribute

Community Resilience

Community Resilience

- **New duty** requiring designated local and national bodies to **promote and support community resilience**
- Resilience Partnerships to be provided with the practical hands-on peer support and advice to enable them to **promote community resilience development** in their areas

Who Should Have Duties?

- **All existing Category 1 responders should remain designated.** Changes to NHS designations with move to Integrated Care Boards
- **Various bodies suggested for consideration for addition to the Schedule of designated bodies** with legal duties under the Act
- Still no case for designation of the Armed Forces

Duties: Risk Assessment (1)

- Return to having **separate risk assessments that look ahead five years and twenty years** to enable longer-term prevention and preparedness activity
- Govt should **radically re-imagine and simplify the risk assessment process**, including providing **standard tools and templates**
- **Changes to risk assessment methodology should be introduced only after discussion** with Resilience Partnerships and the Devolved Administrations **and where they make a material difference to the placing of risks** in the risk matrix, **and to prioritisation of actions to address them**
- **Identify and analyse where risks are likely to arise concurrently**, because of **cascading and compounding consequences** or because likelihood assessment identifies a significant potential
- Government should use the new National Situation Centre to **provide relevant, rapid and dynamic analysis of emerging and changing risks** to Resilience Partnerships and the Devolved Administrations as well as Govt Depts

Duties: Risk Assessment (2)

- **Relevant national risks** which draw on national expertise **should be assessed once, at national level**
- Except where there are compelling national security reasons for not doing so, the **main components of the NSRA should be provided to Resilience Partnerships via a digital platform** which allows the ability for local data interrogation and extraction

Duties: Business Continuity

Business Continuity

- Should move to the concept of organisational resilience
- Abolish and rethink the Business Continuity Promotion duty

Duties: Public Information and Information Sharing

Public Awareness, Warning and Informing

- **Government and designated local bodies should publish significantly more detail** on risk scenarios, their potential consequences and the broad nature of emergency plans, at both national and local level
- Resilience material for businesses and the public should be published once, on a **single site**, using a **single ‘brand’** (as, for example, ready.gov in the US and getready.govt.nz in New Zealand)
- Responders should be able to **warn and inform** effectively **all the communities they serve** in the run up to and during an emergency, using third-parties where necessary

Information Sharing

- Government should review the role, use and user-friendliness of **ResilienceDirect**
- Government should pursue with the Information Commissioner the **creation of an exemption in the Data Protection Act** to allow for **sharing of personal data during emergencies in cases of urgent humanitarian necessity**

Structures

- Value of **regional collaboration** between LRFs in England (and SCGs in response) should be recognised, reinforced and put onto a consistent, secure footing
- Government **stewardship** of all UK resilience-building activity should be **led by a single government body** that actively engages with all relevant stakeholders, visibly demonstrating a spirit of partnership in a shared enterprise
- **Single- and multi-agency doctrine and guidance needs urgent** – and regular future - **updating**

Accountability to Parliament

- **Government departments should have an obligation in law to provide Sector Security and Resilience Plans and validation review reports and action plans to the Select Committee** which has oversight of their work
- **Government should provide an annual Resilience Report to UK Parliament**, including findings of validation and assurance activity, lessons identified reviews, and analysis of the current state of UK resilience